

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re: Equifax Inc. Customer
Data Security Breach Litigation

MDL Docket No. 2800
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**NOTICE REGARDING THE MOTION TO SUPPLEMENT
THE RECORD FILED BY OBJECTORS FRANK AND WATKINS**

On January 15, 2020, Objectors Frank and Watkins moved to supplement the record with the proposed final approval order class counsel submitted to this Court in accordance with its direction. (Doc. 961) The motion was supported by a two-page brief. (Doc. 961-1) Plaintiffs responded that they had no objection to inclusion of the proposed orders in the record, while noting the motion could appropriately be denied because the existing record was accurate. (Doc. 971 at 4) This Court has never expressly ruled on the motion.

On April 20, 2020, Frank and Watkins filed a lengthy motion in the Eleventh Circuit requesting an order from the appellate court directing this Court to supplement the record with the same proposed final approval order. Their new motion is attached as Exhibit 1. Frank and Watkins contend that their motion

below was denied by the following general language in the amended final approval order that this Court entered on March 17, 2020 (Doc. 1029 at 122): “Any other motions and requests for specific relief asserted by objectors are also denied.” (Ex. 1, Frank App. Mot. at 9) That language was carried over from the original final approval order. (Doc. 956 at 122) Frank and Watkins have now previewed that, if their new, Eleventh Circuit motion is granted, they may seek summary reversal on the theory that this Court abused its discretion by directing class counsel to prepare a proposed order. They have also previewed that they may also seek an order from the Eleventh Circuit directing this Court to ask the Judicial Panel on Multidistrict Litigation to reassign this litigation to another judge because of alleged misconduct. (Ex. 1, Frank’s App. Mot. at 16; Ex. 2, Plaintiffs’ Resp. at 16)

Plaintiffs responded to the motion last night, April 30, 2020. A copy of their response is attached as Exhibit 2. In the response, Plaintiffs requested that Frank’s motion to supplement be denied because the relief he seeks is utterly without merit, has nothing to do with resolution of the issue he has appealed, and will likely delay resolution of the appeals and distribution of the settlement benefits to the class while he pursues a personal vendetta against this Court.

Plaintiffs are uncertain whether this Court intended the language in the amended final approval order Frank cites to deny the motion to supplement the

record he filed here on January 20, 2020. In the event that this Court has not yet ruled on that motion, Plaintiffs want to bring to the Court's attention the filings in the Eleventh Circuit described above and let the Court know of the position Plaintiffs have taken before the appellate court.

Dated: May 1, 2020

Respectfully submitted,

/s/ Kenneth S. Canfield

Kenneth S. Canfield

Ga Bar No. 107744

DOFFERMYRE SHIELDS

CANFIELD & KNOWLES, LLC

1355 Peachtree Street, N.E., Ste. 1725

Atlanta, Georgia 30309

Tel. 404.881.8900

kcanfield@dsckd.com

/s/ Amy E. Keller

Amy E. Keller

DICELLO LEVITT GUTZLER LLC

Ten North Dearborn Street

Sixth Floor

Chicago, Illinois 60602

Tel. 312.214.7900

akeller@dicellolevitt.com

/s/ Norman E. Siegel

Norman E. Siegel

STUEVE SIEGEL HANSON LLP

460 Nichols Road, Suite 200

Kansas City, Missouri 64112

Tel. 816.714.7100

siegel@stuevesiegel.com

Plaintiffs-Appellees' Co-Lead Counsel

/s/ Roy E. Barnes

Roy E. Barnes
Ga. Bar No. 039000
BARNES LAW GROUP, LLC
31 Atlanta Street
Marietta, Georgia 30060
Tel. 770.227.6375
roy@barneslawgroup.com

David J. Worley
Ga. Bar No. 776665
EVANGELISTA WORLEY LLC
8100A Roswell Road Suite 100
Atlanta, Georgia 30350
Tel. 404.205.8400
david@ewlawllc.com

Plaintiffs' Co-Liaison Counsel

Andrew N. Friedman
**COHEN MILSTEIN SELLERS &
TOLL PLLC**
1100 New York Avenue, NW, Suite 500
Washington, D.C. 20005
Tel. 202.408.4600
afriedman@cohenmilstein.com

Eric H. Gibbs
GIRARD GIBBS LLP
505 14th Street
Suite 1110
Oakland, California 94612
Tel. 510.350.9700
ehg@classlawgroup.com

James Pizzirusso
HAUSFELD LLP
1700 K Street NW Suite 650
Washington, D.C. 20006
Tel. 202.540.7200
jpizzirusso@hausfeld.com

Ariana J. Tadler
TADLER LAW LLP
One Penn Plaza
36th Floor
New York, New York 10119
Tel. 212.946.9453
atadler@tadlerlaw.com

John A. Yanchunis
**MORGAN & MORGAN COMPLEX
LITIGATION GROUP**
201 N. Franklin Street, 7th Floor
Tampa, Florida 33602
Tel. 813.223.5505
jyanchunis@forthepeople.com

William H. Murphy III
MURPHY, FALCON & MURPHY
1 South Street, 23rd Floor
Baltimore, Maryland 21224
Tel. 410.539.6500
hassan.murphy@murphyfalcon.com

Jason R. Doss
Ga. Bar No. 227117
THE DOSS FIRM, LLC
36 Trammell Street, Suite 101
Marietta, Georgia 30064
Tel. 770.578.1314
jasondoss@dossfirm.com

Plaintiffs' Steering Committee

Rodney K. Strong
GRIFFIN & STRONG P.C.
235 Peachtree Street NE, Suite 400
Atlanta, Georgia 30303
Tel. 404.584.9777
rodney@gspclaw.com

***Plaintiffs' State Court
Coordinating Counsel***

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. Those counsel will be served by the ECF system.

I also certify that copies of the foregoing were served upon the following objector via electronic mail pursuant to agreement on May 1, 2020:

Shiyang Huang
defectivesettlement@gmail.com

John William Davis
john@johnwdavis.com

I also certify that copies of the foregoing were served upon the following District Court objectors U.S. Mail (and electronic mail, where listed below) on May 1, 2020:

George Willard Cochran, Jr.
1981 Crossfield Circle
Kent, Ohio 44240
lawchrist@gmail.com

Christopher Andrews
P.O. Box 530394
Livonia, Michigan 48153

/s/ Amy E. Keller
Amy E. Keller
Attorney for Plaintiffs